SENATORS SPOONER AND TELLER HAVE A DEBATE.

Mr. Spooner Says the Republicans Have No inding Cancus Rule and Mr. Teller Says No Such Democratic Rule Will Bind Him—No Senate Change in Treaty

WASHINGTON, Jan. 6 .- To-day's impromptu debate in the Senate between nator Spooner on the Republican side and Senator Teller, speaking as a Democrat, on the point whether Senators should be bound by caucus instructions in casting their votes on public questions, came along unexpectedly at the end of the skirmish over the attempt of the Democrats to force through a resolution providing for an in-

vestigation of the postal scandals. So far as Senator Spooner was concerned his speech was intended to have a direct bearing on the coming fight over the Panama canal treaty. In replying to Senator Lodge's protest against allowing the Democratic minority to dictate to the Republican majority, Mr. Teller claimed for every Senator the privilege of voting as his conscience directed, in disregard of the party whip. This brought forth the declaration from Senator Spooner that the Republicans have no caucus in the sense that its action can be binding on those who take part in it and that they never had such an organization, even when Senator Teller was a shining

light among the Senate Republicans. The Colorado Senator reluctantly admitted that technically Mr. Spooner was right, but insisted that in recent years the Senate Republicans had been controlled so absolutely by some intangible, mysterious leader (nodding his head and smiling in the direction of Senator Aldrich of Rhode Island) that they were generally found voting as a unit on any important measure

Mr. Spooner then delivered an eloquent declaration of the right of every Senator to vote according to the dictates of his conscience and declared that he, for one, should never be induced to do otherwise. The significance of Mr. Spooner's speech is that it was intended as a life saver to those Southern Democrats who are disposed to vote for the Panama canal treaty. He Southern Democrats who are disposed to vote for the Panama canal treaty. He furnished them a plank to get ashore on, and it is expected that enough of them will avail themselves of his assistance to make certain the ratification of the treaty. Senator Burton of Kansas gave Senator Teller a slight jar by calling his attention to the recent action of the Democratic causes in adopting a resolution offered by caucus in adopting a resolution offered by Senator Blackburn, at the instance of the party leader, Mr. Gorman, making it binding upon every Democratic Senator enter-ing the caucus to stand by its action if in-dorsed by two-thirds of the Democratic enators. Senator Teller's only reply to his was that he for one could never be driven by the party whip to support a measure which he opposed.

Although it is not so stated in the Black-

burn caucus resolution, it is understood that there is an understanding among the Democratic Senators that the two-thirds Democratic Senators that the two-thirds rule shall not be held to apply to the ques-tion of the ratification of the canal treaty, as it did apply to the Cuban reciprocity

The President's message on the Panama subject has apparently made no change in the Senate situation with regard to the treaty. It will be reported back from the treaty. It will be reported back from the Committee on Foreign Relations at an early day, providing Senator Morgan, a member of the committee, does not insist on holding it back by talk merely for the purpose of delay. After the treaty is reported, there will probably be a long discussion in executive session, but in the meantime the public debate will continue, the subject of it being the resolutions of Senators Hoar and Gorman calling upon the President for detailed information with regard to the canal negotiations, and the regard to the canal negotiations, and the establishment and recognition of the re-

public of Panama.
Several Republican Senators were very strongly opposed to having the message sent in at this time, thinking that the more effective and dignified course would have been to furnish to the Senate, as an executive document, the facts contained in the message as a reply to the Hoar resolution, which it is the intention of the Republican Senators to pass promptly. However, it is the opinion of the Senate leaders that no harm has been done, especially as regards the situation in the Senate, and they think they have received assurances from a sufficient number of Southern Senators that they will vote for the treaty, to make

The Foreign Relations Committee met today for the consideration of the Panama treaty. Senator Morgan led the opposition and was seconded by other Democration members except Senator McCreary, in the effort to postpone for a week any consideration of the treaty. After all dilatory motions had been voted down, Senator Morgan made a ground to the treaty. made an argument against the treaty, and when, at noon, adjournment was taken,

it was to meet to-morrow morning.

The Morgan resolution on the Panama question went over in the Senate to-day by unanimous consent at Mr. Morgan's request. He gave notice that he would reply at length to the speech of Senator Lodge.

BENSON'S CASE CALLED.

The Man Indicted for Land Frauds Not

Present and the Hearing Postponed. Washington, Jan. 6 .- The preliminary hearing in the case of John A. Benson, the millionaire real estate operator of San Francisco, who is under indictment in connection with the land scandals in the Interior Department, was called this morning at 11 o'clock before United States Commissioner Taylor. Benson was not present, and Assistant Attorney-General Pugh for and Assistant Attorney-General Fugn for the Government moved that the bond of \$5,000 deposited for his appearance be forfeited. Judge Cole, counsel for Benson, objected, asserting that Benson's indict-ment and arrest in New York subsequent to his arrest in Washington and the deposit of his bond made unnecessary his appearance at the preliminary hearing before Com-missioner Taylor this morning. Finally, on the agreement of counsel. Commission Taylor continued the case until Saturday next at 11 o'clock, when further arguments on the subject of the forfeiture of the bond will be heard.

WON'T MAKE WAY FOR TOWNE.

Congressman Rider Says He Will Not Resign-Will Be a Candidate for Reelection WASHINGTON, Jan. 6 .- Representative Rider of the Fourteenth New York district

has no idea of making way for Charles A Towns as Tammany's candidate for Congress from his district. After a call on the President this morning with Representa-tive Goulden of New York, Mr. Rider said: "No, I haven't resigned yet, and I shall not do so. More than that I shall be a candidate for renomination."

Mr. Goulden added that his colleague

would be elected to succeed himself. report was circulated some time ago that Chief Murphy of Tammany Hall wished to have Rider make way for Towne, and that it was arranged that Rider should accept a place under the municipal government in New York.

Gen. Black to Be President of the Civil

WASHINGTON, Jan. 6 - Civil Service Com. missioners Cooley and Greene to-day offered the presidency of the Civil Service Commission to Gen. Black, who was recently appointed to fill the vacancy caused by the death of Commissioner Procter. Mr. Cooley is senior member of the commission, and the honor of being president really belongs to him. He desired, however, that Gen. Black, who is older and more experihave the place. Commiss Greene felt the same way, and Gen. Black Gen. Black will attend prinrouting work of the commis ion, while Messrs. Cooley and Greene will erform the more arduous labors.

JUDGE JOSEFH F. BARNARD DEAD SENATORS ON POSTAL FRAUDS Served Thirty-six Years on the Bench of

POUGHKEEPSIE, N. Y., Jan. 6.-Joseph F. Barnard, formerly Justice of the State Supreme Court, died suddenly early this morning at his home in this city, aged

Joseph Folger Barnard began his judicial career in 1863, when he became a Justice of the Supreme Court of New York. He served for eight years, was reelected in 1871 for fourteen years, and was again reelected in 1885 for fourteen years. On Jan. 1, 1893, he was retired under the age limit. Under the amended Constitution of the State he was reappointed in 1895 to serve the remainder of his term, retiring finally in 1899. It was a decision handed down by him which sent John Y. McKane,

down by him which sent John Y. McKane, the convicted boss of Coney Island, to Sing Sing.

Justice Barnard was born in Pough-keepsle in 1823. His father, Frederick Barnard, who was of English descent, was a native of Nantucket and for many years followed the sea. His mother was an English woman. Joseph was educated at the Dutchess County Academy in Pough-keepsie and at Yale University, from which he graduated in 1841. He then entered the law school and was admitted to the bar

he graduated in 1841. He then entered the law school and was admitted to the bar of the State of New York in 1844. He returned to Poughkeepsie and there built up a large law practice.

In the many important decisions handed down by Justice Barnard during his long service on the bench of the Supreme Court he invariably showed his absolute inde-, pendence of all party considerations.

Justice Barnard was a hard worker, be-Justice Barnard was a hard worker, beginning his day early and continuing his labors far into the night. His recreation he found largely in walking, of which he was very fond. For more violent exercise he applied himself to chopping wood. He owned much land in Dutchess and adjoining

SERGT. FREDERICKS DEAD. Companion of Greely on His Arctic Trip

Dies of Cancer of the Stomach. INDIANAPOLIS, Jan. 6.—Sergt. Julius Fredericks, who accompanied Greely on his expedition to the Arctic regions, from which only six men returned alive, died at his residence in this city this afternoon after a lingering illness of cancer of the stomach He had recognized the fact for several months that he could not recover, but had maintained his cheerful demeanor almost to the hour of death. Sergt. Fredericks came to this city soon after he recovered from the illness inci-dent to his exposure in the Arctic regions and several years ago was appointed to a place in the Government Weather Bureau. He always believed that he and Sergt. Brainard would have reached it on their "dash to the pole" had they not been so

weakened by exposure before making the attempt.
Fredericks was arranging to make another trip to the Arctic regions when he was taken ill, having entered into an agreement to make the attempt with a Chicago inventor of a balloon.

Karl Alfred von Zittel, the paleontologist, died yestorday at Munich, Bavaria. He was born at Bahlingen, near Freiburg, on Sept. 25, 1839, and was the son of Karl Zittel, leader of the Clerical Liberals in Baden. He studied at Vienna, Paris and Heidelberg, and afterward served as an assistant in the Hofmineralien Kabinet in Vienna. After serving as professor of mineralogy at Karlsruhe, he assumed the same post in Munich in 1886 and also became director of the Peleontological Staatsmuseum. He was a member of the Rohlf expedition to the Libyan desert in 1873-74, and wrote a book on the trip which contained much valuable scientific matter. He was also the author of a book on the Sahara and many treaties on geological and paleontological subjects, and was editor of the periodical Paleontolographics. Karl Alfred von Zittel, the paleontologist,

graphics.

John E. Hurst, senior member of the dry goods house of John E. Hurst & Co., of Baltimore, and a multi-millionaire, died suddenly yesterday at the Johns Hopkins Hospital, where he underwent an operation on Monday last for a growth on the neck. A clot of blood on the heart was the cause of death. He was in his seventy-first year. His widow is in Cairo, Egypt, for her health. One of his daughters is Mrs. Nancy W. Capellini of Florence, Italy, whose husband is a Lieutenant in the Italian navy. Another daughter is Mrs. F. Harvey Smith of Denver, Col., and a third is Mrs. C. G. Miller of New York. Two other daughters and three sons also survive him. In 1895 he ran for Governor of Maryland on the Democratic ticket and was defeated by Lloyd W. Lowndes, the Republican candidate.

candidate.

Col. Hart Gibson, a brother of the late Senator Gibson of Louisians, died on Monday at his home, Inglestde, near Lexington, Ky. He was the son of Tobias Gibson and a descendant of a well known Revolutionary family. He was graduated from Yale and from a German university. During the civil war he was Adjutant-General of Gen. John Morgan's command, and was captured in the raid around Cincinnati, He served several terms in the Kentucky Senate, and was prominent among the Democratic leaders in Kentucky. He was about 70 years old. He leaves a widow and five children.

and five children.
Walter T. Pell, who died on Monday at his residence, 22 East 129th street, was a lineal descendant of Lord John Pell, for whom Pelham Manor was named. He was the son of Scephen S. Pell of Pelham Manor, and his nother, Adeline Turnbull, was the descendant of Major Charles Turnbull, who served with distinction under Washington. Mr. Pell was 67 years old, He leaves a widow. He was for many years a member and a deacon of the Fifth Avenue Beptist Church.
George Prentice, Comew. of 225 Degrave.

of the Fifth Avenue Beptist Church.
George Prentice Comey of 225 Degraw street, Brooklyn, who died suddenly on Tuesday in his seventy-ninth year, was a retired straw goods merchant and had long been senior member of the firm of Rogers, Comey & Co. He was a deacon of the Strong Place Baptist Church. He is survived by a son, three daughters and thirteen grandchildren.
Walter Stanley Richmond died on Tuesday of Bright's disease at his home, 50 West Nine-ty-sixth street. He was born in Lowell, Mass., 52 years ago. He was a broker, with offices in the St. James Building, and president of the Avalanche Copper Mining Company. He leaves a widow.

Dr. James Ferguson, proprietor of the

Dr. James Ferguson, proprietor of the Central Valley Sanitarium, died yesterday at that institution. He was 62 years old and anmarried. He had conducted his widely known institution twenty years.

CUT IN NAVAL ESTIMATES.

That for New Construction for Next Year Reduced by \$4,000,000.

WASHINGTON, Jan. 6.-The estimates submitted to Congress by Secretary of the Navy Moody for the construction of new warships and machinery for them for the fiscal year beginning July 1 next have been cut from \$23,000,000 to \$19,000,000 by the Secretary. This action of the Secretary was due to the fact that \$22,-000,000 remains to the credit of the Navy Department for new construction and machinery, and it will not be possible to expend more than \$19,000,000 additional during the next fiscal year.

Senate Republican Steering Committee Washington, Jan. 6.-The Senate Republicans have selected the steering committee for the session. The membership is the same as that of last session, as fol-Mr. Allison, chairman; Messrs. ale, Aldrich, Cullom, Lodge, Perkins, D. Clark, Elkins, Spooner, Hanna and

Taft's Nomination Favorably Reported. WASHINGTON, Jan. 6 .- The nomination of William H. Taft of Ohio to be Secretary of War, vice Root, resigned, was to-day ordered favorably reported to the Senat by the Committee on Foreign Relations

Married His Stepsister.

ORANGE, N. J., Jan. 6 .- Announcement was made to-day of the marriage of Miss Jessie L. Stickle of Newark and Franklin B. Randolph of Orange. The ceremony took place vesterday at the Church of the Transfiguration, New York, being performed by the Rev. Dr. Houghton, and the announcement caused some surprise in Orange. The bride is a daughter of the late Charle. Stickle and the bridegroom is a son of Albert R. Randolph, who, after Mr. Stickle's death married the widow. Miss Stickle and young Randolph were brought up together

DEMOCRATS DEMAND INVESTIGA-TION BY CONGRESS.

They Quote From the Bristow Report, Which Says That the Frauds Originated in Perry S. Heath's Office, and Ask

Why He Has Never Been Indicted. WASHINGTON, Jan. 6 .- The Post Office Department frauds were discussed by the Senate to-day, on a resolution offered by Mr. Carmack (Dem., Tenn.) providing for an investigation of the Post Office Department by the Senate Committee on Post Offices and Post Roads.

Mr. Teller (Dem., Col.) joined Mr. Carmack in urging a Congressional investigation. The legislative branch of the Government had always asserted its tright to make such investigations, and it was due to the country that such an investigation be made by Congress.

Mr. Lodge thought a sweeping investigation was a serious matter, which should be considered first by a committee. Mr. Clay (Dem., Ga.) expressed surprise that there should be opposition to the Carmack resolution, when a similar resolution had been offered by Mr. Penrose (Rep.,

Pa.), himself chairman of the Committee on Post Offices and Post Roads. Mr. Clay added that the Bristow report showed that persons outside of the Post Office Department had been involved in the frauds. The frauds originated, declared Mr. Clay, in the office of First Assistant Postmaster-General Heath, according to the Bristow report, and Heath was cognizant of the frauds. "Why ought the subordinates be indicted and the principals escape?" demanded Mr. Clay.
Mr. Penrose moved that Mr. Carmack's resolution be referred to his committee, with all the other resolutions and amendments on the subject, and he pledged himself as chairman of the committee to call an early meeting and make a prompt report.

meeting and make a prompt report.

Mr. Gorman (Dem., Md.) said that to-day's debate emphasized the necessity for an investigation. The corruption in the Post Office Department was a gradual growth, in his opinion, running through several Administrations. Only half of the

ruth had been told by the Bristow report, n his judgment.

Mr. Gorman declared that the Senate had Mr. Gorman declared that the senate had been throttled by the denial of resolutions of inquiry and the withholding of documents. "Can it be that the party in power is afraid that the daylight will be east upon its acts?" asked Mr. Gorman. The resolution then went over until Friday, and the Senate at 2:35 o'clock ad-

ourned until to-morrow. THE PHILIPPINE LAND BONDS.

War Department Displeased at Secretary Shaw's Conditions of Acceptance.

WASHINGTON, Jan. 6 .- The War Department officers who have charge of the proposed new issue of Philippine bonds are far from pleased with the attitude of Secretary of the Treasury Shaw. It was said to-day that when the Philippines loan was discussed in the Cabinet meeting last month Secretary Root received the assurance from Secretary Shaw that Treasury Department would accept new bonds unconditionally as security for eposits of public money in National banks. During the holidays, however, Secretary Shaw gave out a statement at the Treasury Department that the bonds would be accepted as security for deposits of public money, "should further deposits

public money, "should further deposits be made," and that they would also be accepted in place of Government bonds already on deposit as such security on condition that these Government bonds be used as the basis of new currency circulation. The as the basis of new carriers of the words "when-secretary, however, added the words "when-ever in the judgment of the Secretary of the Treasury it is desirable to stimulate an increase in National bank circulation." Secretary Root was disappointed at this It is pretty certain that neither of Mr. Shaw's conditions will be fulfilled for many

months to come In his opinion no abnor-mally increased volume of currency will be needed before next fall. This means that the Philippines bonds about to be issued will not be accepted from the holders as security for deposits or for circu lation by the Treasury Department for at least seven months, and the bonds will naturally prove less attractive to prospect-

THE COTTON CROP OF 1903. Department's Estimate Now Thought to

WASHINGTON, Jan. 6 .- It was stated at the Department of Agriculture this morning that, in view of the ginning figures given out vesterday by the Census Bureau the past year was a little high, but no guess would be the number of thousands of bales of excess in the estimate.

The total number of commercial bales which had been ginned up to Dec. 13 was 8,848,747. The estimate of the number ment of Agriculture was 9,962,039, of 490.8 pounds each, but it was now thought the

Promotions in the Navy. WASHINGTON, Jan. 6 .- The President

to-day sent the following naval nominations to the Senate: To be Rear Admiral: Capt. Charles O'Neil To be Captains: Commander B

To be Captains: Commander Francis H Delano and Commander Albion V. Wadhams To be a Commander: Lieutenant-Commander York Noel.

To be Lieutenant-Commanders: Lieuts Ward
P. Winchell, Charles P. Eaton, John M. Ellicott, Charles W. Dyson, Harry George and
Frederick L. Charin

Frederick L. Chapin. To be Lieutenants: Lieutenants, junior grade, Joseph W. Fraeme, Albert H. McCarthy, Henry N. Jensen, Arthur St. C. Smith, Willis McDowell, William C. Watts and Lyman A.

IN BED WITH A CORPSE.

Tracey Asleep. His Companion Dead, When Room Was Entered.

A man and woman went to the Raines law hotel at 2459 Second avenue early yesterday morning and registered as "Edward Meehan and wife." Nothing was heard from them until 5 o'clock yesterday afternoon, when the proprietor broke into their room and found the woman dead in bed. The man was asleep, He was awakened and taken to the East 128th street station, where he was held to await the action of the Coroner. He said he was James Tracey, a stenographer of 1410 Second avenue. He said he met the 1410 Second avenue. He said he met the woman on the street and took her to the hotel after having some drinks. He didn' know anything about her, he said. The woman was known to the police in Harlem as "Big Alice." An ambulance doctor said she probably died of heart

Fargo Squiers Barled.

Funeral services for the late Fargo Squiers, son of the United States Minister to Cuba, were held in the Church of St. Francis Xavier yesterday morning. Father Thomas Campbell, S. J., celebrated a requiem mass and pronounced the eulogy. President and Mrs. Roosevelt sent a large President and Mrs. Robsevett sent a large pillar of violets, and other pieces came from officials at Washington and in Havana. Following the services at the church there was another at Woodlawn Cemetery, where the body was placed in the family vault.

Canadian Fire Chief Killed. LONDON, Ont., Jan. 6.-John A. Roe, chief of the London fire brigade, was instantly killed and four firemen badly in-jured by the falling wall of Sterling Bros. boot and shoe factory, which was destroyed

A "smart" train for "smart" people!

These six words tell the whole story of the **Golden State** Limited Best of trans-

continental trains, it is patronized by the best class of trans-continental travelers. They take it because the

equipment is the finest obtain-able; because it runs through a section of country where line which has few grades and no high altitudes. Leaves Chicago and Kansas City, daily, December 20 to April 14, by way of El Paso and the Southern Pacific. Tickets, berths and literature at this office, and at offices



In this paper to-morrow morning you vill find an important announcement. Read it, heed it, you'll never regret it. It's about our semi-annual 1, off sale

Get the Habit. Go to

of clothing.

Brill Brothers

Convenient Stores.

FIRE IN A SCHOOL; 2 ARRESTS

ONE SMALL PRISONER IS MIKE DONOVAN'S SON.

The Fire Didn't Amount to Anything, but the 2,300 Children Were Marched in Good Order-Another Blaze Week Ago-Four Within the Year. Some one started a fire in the girls' cloak-

room on the third floor of Public School 43, Amsterdam avenue and 129th street, yesterday morning, and, although the fire was quickly squelched, the alarm bells and fire drill gave the 2,300 pupils something to talk about for the rest of the day. This is the second fire in this building it week and the fourth in a year, and Princi-

done. The something resulted in the arrest of eleven-vear-old Artie Donovan and fourteen-year-old Joe Revieno, and they are in the hands of "de Gerrys." They were arrested on stories told by Harry Muller and Willie Theis. It was a thing of Harry and Willie to

pal Sieburg felt that something had to be

tell stories, for Artie Donovan is the son of Prof. Mike Donovan, the boxing instructor of the New York Athletic Club, and inherits his father's skill. Shortly after school began a small boy who was working at the blackboard noticed smoke out in the hall and "told teacher".

Teacher quietly left the room and told the principal. The principal found that some one had set fire to a coat in the girls' cloakroom. He summoned Janitor Tom Brown. who soon extinguished the blaze with a pail In the mean time, however, the smell of

In the mean time, allowers, the smell of smoke had gone through the building, and the pupils became alarmed. To allay their fears the principal ordered the fire drill.

At the "get ready" bell the pupils started for their hats and coats. A few seconds later the "march" bell was sounded, and each later the "march" cuistly down the firence of the common time. class marched quietly down the fireproof stairs in perfect order to the big playroom on the ground floor. There they were told that there was no danger, and eight minutes after the first bell every class was back at work again in its own room.

A slight fire was discovered in the reading room on the same floor, when school reopened after the holidays last Monday. But although the janitor has been on the

lookout for a repetition, he had no clue to yesterday's culprit.

When the 125th street police learned of the

when the Louis street ponce learned of the fire Detective Drastal was sent to investi-gate. This is the story Harry Muller and Willie Theis told him: "We saw Artie an' Joe a-rushin' down the stairs an' wanted to know what for. They says 'cause there's a fire,' but how did they know when the fire hadn't been discovered yet, an' they're primaries, too, an' didn't have any business up on the grammars'

It was on the strength of this that Artie and Josie were arrested and turned over to "de Gerrys. When they were searched at the station

when they were searched at the station their pockets were found to be stuffed with cigarettes and matches.

The police say that Artie Donovan is a "suspicious" character. They've never really caught him with the goods on, but several times he's been suspected of ring-ing doorbells, snowballing old gentlemen's hats and tving cans to dogs' tails also been in trouble with the truant officer.

Artie's neighbors say that he wouldn't think of setting fire to anything, for he sn't a really bad boy; he's just a little

strenuous.

A group of Artie's small friends gathered in front of the Donovan house, 553 West 129th street, after school was out and told each other what they'd like to do to the cop who pinched Artie. As the cop was absent, however, they had to be content with firing snowballs at the strong man and his fellow prisoner will be arraigned in the Children's Court this morning.

WIRELESS COMBINATION. International and American DeForest Companies to Consolidate.

CAMDEN, N. J., Jan. 6 .- At the annual meeting of the International Wireless l'elegraph Company here to-day a resolution to conslidate with the American DeForest Wireless Telegraph Company was adopted without a dissenting vote. The Greater New York Security Company will finance the consolidation. The International stockholders, it is said, will receive \$7,500,000 of stock in the new concern and have an interest in about seventy

Vice-President and General Manager Gehring reported that instruments of the American DeForest company had been ordered by the Belgium, Sweden and don Times had two sets ordered in anticipation of war in the Far East.

The following directors were elected:
Dr. G. G. Gehring, H. Shoemaker, M. Van

William J. Hopper and

KILLED WIFE BEFORE BABIES. Fallik Then Tried to Hang Himself, but Was Rescued in Time. After spending several hours vesterday

morning buying drinks with money earned by his wife and children, Morris Fallik, a ne'er-do-well Austrian pedler, staggered into his five room flat at 814 Tenth avenue, started a quarrel with his wife, Sarah, and ended by sending a bullet through her body just over her heart. She died half an hour later in Roosevelt Hospital. After the shooting Fallik tried to hang

nimself but was cut down by the police in time to save his life

Two of the pedler's nine children, a threeyear-old girl and their ten-months-old baby, were in the rooms when the murder took place. Neighbors saw Fallik come home and a few minutes later heard four shots. Rushing into the hall they saw the pedler's wife open the door from her apartments and fall headlong over the threshold. Fallik followed, pistol in hand, out turned quickly and disappeared into

one of the rooms.

Roundsman Brady and Policeman Sheridan of the West Forty-seventh street station found him a few minutes later hanging unconscious from a gas fixture by a small gas hose. A revolver, with five empty cartridges beside it, lay on a bureau close by. Fallik was sent to Roosevelt Hospital, a prisoner. At the hospital it is said he will recover.

said he will recover.

The Fallik babies were cared for by the neighbors and soon after the murder the four Fallik boys, ranging from 9 to 14, came in from school. The two elder girls, who, with the mother, supported the family of eleven, arrived soon afterward and were hysterical with grief.

Neighbors and the police said that the couple had had frequent quarrels, due to Fallik's drinking habits and refusal to work, and that the dead woman had once thought of having her husband arrested.

thought of having her husband arrested

MAY SETTLE M'ALPIN SUIT. Iniversal Tobacco Company Receiver-

ship Sult Goes Over. The hearing in the suit of Edwin A McAlpin and other stockholders of the Universal Tobacco Company against William H. Butler, the president of the company, and his brother, George P. Butler, which was to have gone on to-day before Vice-Chancellor Reed in Jersey City, has been adjourned until such time as both sides shall decide that they cannot settle heir dispute out of court.

The suit is for the appointment of a reeiver pending the dissolution of the vo trust, which, the plaintiffs allege, is unduly controlled by the Butlers. News of the postponement of the hearing

gave rise to a rumor that the case had been settled out of court. This was denied last night by Herbert Barry of Davies, Stone & Auerbach, counsel for the plaintiffs. "Negotiations are pending," said Mr arry, "which may lead to a settlement Barry, "which may lead to a settleme but they have not been completed. is never safe to assume in advance that negotiations for a settlement will be suc-

Neither Mr. Barry nor any of the other legal representatives of the various parties to the suit would say what the negotiations

DEFENDS CALVET-ROGNIAT.

Mr. Semple Doesn't Know That the French Underwriter is a "Fraud."

In reference to a story published yester day concerning Baron Calvet-Rogniat, one of the French underwriters of United States Shipbuilding bonds, who is now suing the Mercantile Trust Company for \$25,000 which he paid in under the underwriting agreement, Lorenzo Semple of Coudert Bros., attorneys for the Baron, made this statement: "The story that Baron Calvet-Rogniat

s a 'fraud' and that he served two years in the prison at Poissy, France, for fraudulent transactions is, so far as we know, without foundation. Our relations with Baron Calvet-Rogniat began a year ago, when his suit against the Mercantile Trust Company was turned over to us by our Paris

"Our Paris office is not in the habit of inroducing to us clients who have served terms in prison and we have found th Baron thoroughly straightforward and businesslike in our professional relations with him. I do not believe the stor Hamilton Odell has been appointed referee

to hear the evidence in the Baron's suit against the Mercantile Trust Company. He will hear it at his office, 35 Nassau street. The date of the first hearing has not bee

Ashley W. Cole to Live in England. Ashley W. Cole, ex-railroad commissioner, sailed yesterday on the Majestic to take charge of the English branch of the typewriter company of which Timothy L. Woodruff is the head. He expects to stay in England.

The Manamaker Store:

Breaking a Blizzard

New York has been smothered and frozen under the coldest and most irresistible mantle of snow that she has known in many a year. People out of town and uptown have been snow-bound, and had to stay fidgeting at home with the newspapers full of the best bargains of the whole twelve months. Yet, bad as have been the days of this week, we've been busy beyond belief every day; because people of the neighborhood and those of unusual hardihood have braved the elements to take advantage of the month's great

Today the storm's grasp is loosened; the temperature is more comfortable; traffic is easier; and those who have read and regretted, may now come and be compensated; for the great White Sale is still at its zenith, and the whole store is full of good things for the thrifty—tempting things for everybody.

Where It Pays To Be "Chesty"

Fifty men, who boast of a chest - measure of 40 to 46 nches, can share in this offer-

\$20 Overcoats at \$14.50 large end of this particularand particularly excellenthence today's saving.

All-wool Oxford mixed black cheviot; with satin shoulder-linings and wool bodylining—the best Overcoats you stock, in tailor-made and shirtever saw at their full price. Now waist styles, of cloths and vel-\$6.50 less than that! Second floor, Fourth avenue.

A Coat Climax Interesting to Women

This news of Women's Coats is both climatic and climacteric. It is weatherwise attractiveness.

beautifully made Winter Coats pected, for the price. are involved -- each in complete size- We're cleaning up the stock; that any woman will be proud styles.

ing, lined with good quality of floors.

At \$12, Coats worth \$22 shapes; seams finished with several very attractive classes broadcloth straps, fly-front, of pictures, with carefully chosvelvet collar, satin lining.

Fine Black Kersey Coats; tively framed. with strapped seams; 40 inches long; wide sleeves with cuffs; lined with excellent satin.

These coats are irreproach. Choose among them: able in style and workmanship: Carbongravures, in choice landscape subjects. Framed in Mission style. materials are the season's favo- 18x26 in. rites; and they are fully worth and figure subjects, framed in wood, the conservative higher values to match picture. 16x26 and 20x26 in quoted. styles and sizes of frames. Fifth floor.

Second Floor, Broadway.

Women's Suits At \$18

Worth \$23.50 to \$35

Fifty smart Tailormade Suits, just newly made up, in the newest styles. Of We've rather overplayed the cheviot and zibeline, and a few black, navy blue or brown mixtures; with natty 26-inch jackets, plaited in Norfolk style, grade of Winter Overcoats, and belted; with turn-down collar and cuffs of red broadcloth and black braid.

To these we have added about twenty-five suits from our own

Prices were \$23.50 to \$35. Today choose for \$18. Second floor, Broadway,

Your Spring Wall Paper

Have you rooms, or a -no offering could be apter for whole house, to fix over this Winter days-and the best yet Spring? Here's your chance in all-around completeness and to save a handsome bit on the cost, or to get paper several Three groups of stylish, new, times as fine as you had ex-

line. We fortunately found the and prices are often ridiculously manufacturer in a yielding little. And WANAMAKER Wall mood; and these remarkable Papers are notable for the prices are the result, on wraps excellence of both quality and

We will do the hanging for At \$10, Coats worth \$18 you, if you wish, at reasonable Black Kersey Coats; double. cost. We do all sorts of intebreasted half-fitted back, seams rior decorating, painting, tintand edges finished with stitch. ing, and laying of hardwood Third floor.

Pictures at \$1.50.

Black Zibeline Coats, in corset | The offering is composed of en subjects, reproduced in dif-At \$15. Coats worth \$27.50 | ferent processes, and all effec-

> Prices were \$2.25 to \$3.50. now the uniform price is \$1.50 each.

Artotypes, a group of several dif-Colored Prints and Pastels, in various

JOHN WANAMAKER, Broadway, 4th ave., 9th & 10th sts.

WOMAN SAVES TWO CHILDREN CAN'T BE PUT INTO BANKRUPTCY. Takes Them Out of Burning Building at Peril of Her Own Life. Mrs. Mary Bruder of 108 Patterson street

Harrison, N. J., saved two little children from being burned to death yesterday They were the son and daughter of John Wigand, who occupies apartments in the rear of those in which Mrs. Bruder lives. Wigand was in Newark looking for work Mrs. Wigand is employed in a factory Mrs. Bruder heard Irene, the six-year-old girl, and her brother, Arthur, 3 years old, crying at noon yesterday and saw smoke trying at from their windows. She ran through the smoke, up the stairs into the burning room and dragged the girl out. On returning to rescue the boy she methim tumbling headlong down the stairs from the stairs from the second floor.

Both children had their hair singed and were slightly burned. The fire was extinguished when over \$1,000 damage had

Building Loan Banking Co. to Be Wound Up Under State Laws. Judge Holt of the United States District

Court dismissed yesterday the petition in bankruptcy filed against the New York Building Loan Banking Company of 111 Fifth avenue, on Sept 52, 1903. The petition was dismissed with costs mainly on the ground that the concern is not a corporation that comes within the meaning of The only corporations that can be pu

into involuntary bankruptey under the present act are those properly engage in trading, printing, publishing, mining and mercantile pursuits. But telegraphed and appropriate the property of and express companies, as well as are excluded. The Building Loan Banking Company is subject to the supervision of the banking department.

Receiver Preston can now wind up the concern under the State court.



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